#### 

# **Order of Discharge**

12/15

IT IS ORDERED: A discharge under 11 U.S.C. § 727 is granted to:

John Michael Whalen Rosa Maria Alvarez

<u>3/23/18</u>

By the court: Michael B. Kaplan

United States Bankruptcy Judge

## **Explanation of Bankruptcy Discharge in a Chapter 7 Case**

This order does not close or dismiss the case, and it does not determine how much money, if any, the trustee will pay creditors.

## Creditors cannot collect discharged debts

This order means that no one may make any attempt to collect a discharged debt from the debtors personally. For example, creditors cannot sue, garnish wages, assert a deficiency, or otherwise try to collect from the debtors personally on discharged debts. Creditors cannot contact the debtors by mail, phone, or otherwise in any attempt to collect the debt personally. Creditors who violate this order can be required to pay debtors damages and attorney's fees.

However, a creditor with a lien may enforce a claim against the debtors' property subject to that lien unless the lien was avoided or eliminated. For example, a creditor may have the right to foreclose a home mortgage or repossess an automobile.

This order does not prevent debtors from paying any debt voluntarily or from paying reaffirmed debts according to the reaffirmation agreement. 11 U.S.C. § 524(c), (f).

## Most debts are discharged

Most debts are covered by the discharge, but not all. Generally, a discharge removes the debtors' personal liability for debts owed before the debtors' bankruptcy case was filed.

Also, if this case began under a different chapter of the Bankruptcy Code and was later converted to chapter 7, debts owed before the conversion are discharged.

In a case involving community property: Special rules protect certain community property owned by the debtor's spouse, even if that spouse did not file a bankruptcy case.

For more information, see page 2 >

#### Some debts are not discharged

Examples of debts that are not discharged are:

- debts that are domestic support obligations;
- debts for most student loans;
- debts for most taxes;
- debts that the bankruptcy court has decided or will decide are not discharged in this bankruptcy case;
- debts for most fines, penalties, forfeitures, or criminal restitution obligations;
- some debts which the debtors did not properly list;
- debts for certain types of loans owed to pension, profit sharing, stock bonus, or retirement plans; and
- debts for death or personal injury caused by operating a vehicle while intoxicated.

Also, debts covered by a valid reaffirmation agreement are not discharged.

In addition, this discharge does not stop creditors from collecting from anyone else who is also liable on the debt, such as an insurance company or a person who cosigned or guaranteed a loan.

This information is only a general summary of the bankruptcy discharge; some exceptions exist. Because the law is complicated, you should consult an attorney to determine the exact effect of the discharge in this case.

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Certificate of Notice Page 3 of 4
United States Bankruptcy Court
District of New Jersey

In re: John Michael Whalen Rosa Maria Alvarez Debtors Case No. 17-33318-MBK Chapter 7

TOTAL: 18

#### CERTIFICATE OF NOTICE

District/off: 0312-3 User: admin Page 1 of 2 Date Rcvd: Mar 23, 2018 Form ID: 318 Total Noticed: 35

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on

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Mar 25, 2018.
db/idb
                   +John Michael Whalen,
                                               Rosa Maria Alvarez, 122 Muhlen Platz, Unit D,
                     Freehold, NJ 07728-5466
                   +CAB East LLC, serviced by Ford Motor Credit Compan, P.O. Box 62180,
cr
                     Colorado Springs, CO 80962-2180
cr
                   +Nissan-Infiniti LT,
                                               C/O Stewart, Zlimen & Jungers, Ltd., 2860 Patton Rd.,
                   Roseville, MN 55113-1100
+Bestbuy/cbna, Credit Control, LLC, P.O. Box 31179, Tampa, FL 33631-3179
517182909
                   +Bestbuy/cbna, Credit Control, DDC, F.O. Box 7200, Freehold, NJ 07728-25-4 Mod Assoc P.O. Box 7200, Freehold, NJ 07728-7200
517182913
                   +Central Jersey Emerg. Med. Assoc, P.O. Box 7200, Fr
First Bank Card, PO Box 2951, Omaha, NE 68103-2951
517182914
517182917
                   +Fmc-omaha Service Ct, Po Box Box 542000, Omaha, NE 68154-8000
517182918
                 +Fnb Omaha, Po Box 3412, Omaha, NE 68103-0412

Herbert I. Ellis, Esq., 87 South Street, First Floor, Freehold, NJ 07728

+Hyundai Capital Americ, 4000 Macarthur Blvd Ste, Newport Beach, CA 92660-2558

+Macy's/dsnb, c/o Credit Control, LLC, P.O. Box 31179, Tampa, FL 33631-3179

+NISSAN MOTOR ACCEPTANCE CORPORATION, LOSS RECOVERY, PO BOX 660366, DALLAS TX 75266-0366
517182919
517182920
517182921
517182924
517182926
                   (address filed with court: Nissan-infiniti Lt, 2901 Kinwest Pkwy,
                                                                                                            Irving, TX 75063)
517182927
                    PC Richard, co Allied Interstate, P. O. Box 1954, Southgate, MI 48195-0954
                   +Raymour & Flanigan, P.O. Box 130, Liverpool, NY 13088-0130
+Roundpoint Mortgage, 5032 Parkway Plaza Blvd, Charlotte, NC 28217-1934
+Syncb/pc Richards, c/o Encore Receivable Management, Inc., 400 N. Roger
517182928
517182929
                   +Syncb/pc Richards, c/o Encore Receival
P.O. box 3330, Olathe, KS 66063-3330
517182934
                                                                                                   400 N. Rogers Rd,
Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
                    E-mail/Text: usanj.njbankr@usdoj.gov Mar 23 2018 23:20:42
                                                                                                 U.S. Attorney, 970 Broad St.,
                   Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
+E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Mar 23 2018 23:20:36
                                                                                                          United States Trustee,
                     Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
                     Newark, NJ 07102-5235
                    +EDI: CHASE.COM Mar 24 2018 02:58:00 Best Buy, P.O. Box 15235, Wilmington, DE 19886
EDI: CAPITALONE.COM Mar 24 2018 02:58:00 Capital One Bank Usa, 15000 Capital One Dr,
517182908
                   +EDI: CHASE.COM Mar 24 2018 02:58:00
                                                                                                            Wilmington, DE 19886-5235
517182911
                     Richmond, VA 23238
517182910
                   +E-mail/Text: kzoepfel@credit-control.com Mar 23 2018 23:20:44
                                                                                                        Capital One / Kohl's,
                   c/o Credit Control, LLC, 5757 Phantom Drive, Ste 330, Hazelwood, MO 63042-2429 +EDI: CAPITALONE.COM Mar 24 2018 02:58:00 Capital One National, Po Box 26625,
517182912
                     Richmond, VA 23261-6625
                   +EDI: WFNNB.COM Mar 24 2018 02:58:00
517182915
                                                                   Comenity Bank/pier 1, 4590 E Broad St,
                     Columbus, OH 43213-1301
517182916
                   +EDI: RCSFNBMARIN.COM Mar 24 2018 02:58:00
                                                                              Credit One Bank Na, Po Box 98875,
                     Las Vegas, NV 89193-8875
517182922
                   +EDI: CBSKOHLS.COM Mar 24 2018 02:58:00
                                                                          Kohl's / Capital One, P.O. Box 2983,
                     Milwaukee, WI 53201-2983
                   +EDI: CBSKOHLS.COM Mar 24 2018 02:58:00
517182923
                                                                          Kohl's / Capital One, Kohl's Credit,
                     P.O. Box 3043, Milwaukee, WI 53201-3043
                                                                      Macy's/dsnb, Po Box 8218, Mason, OH 45040-8218
Sears/cbna, Po Box 6283, Sioux Falls, SD 57117-6283
Syncb/Jcp, Po Box 965007, Orlando, FL 32896-5007
517182925
                   +EDI: TSYS2.COM Mar 24 2018 02:58:00
517182930
                   +EDI: SEARS.COM Mar 24 2018 02:58:00
517182932
                   +EDI: RMSC.COM Mar 24 2018 02:58:00
517182931
                   +EDI: RMSC.COM Mar 24 2018 02:58:00
                                                                      Syncb/jc Penneys,
                     c/o Advanced Call Center Technologies,
                                                                        P.O. Box 9091,
                                                                                               Johnson City, TN 37615-9091
                   +EDI: RMSC.COM Mar 24 2018 02:58:00
+EDI: RMSC.COM Mar 24 2018 02:58:00
517182933
                                                                      Syncb/lowes, Po Box 965005,
                                                                                                              Orlando, FL 32896-5005
                                                                      Syncb/pc Richards, Po Box 965036,
517182935
                     Orlando, FL 32896-5036
                   +EDI: RMSC.COM Mar 24 2018 02:58:00
                                                                      Synchrony Bank, c/o of PRA Receivables Management, LLC,
517185322
                     PO Box 41021, Norfolk, VA 23541-1021
517182936
                   +EDI: WFFC.COM Mar 24 2018 02:58:00
                                                                      Wellsfargo Financial, Po Box 94498,
                     Las Vegas, NV 89193-4498
```

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR. 2002(g)(4).

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\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 25, 2018 Signature: /s/Joseph Speetjens

#### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 23, 2018 at the address(es) listed below:

Bunce Atkinson on behalf of Trustee Bunce Atkinson bunceatkinson@aol.com, NJ09@ecfcbis.com, maraujo@atkinsondebartolo.org

Bunce Atkinson bunceatkinson@aol.com, NJ09@ecfcbis.com,maraujo@atkinsondebartolo.org

John R. Morton, Jr. on behalf of Creditor CAB East LLC, serviced by Ford Motor Credit Company LLC ecfmail@mortoncraig.com, mortoncraigecf@gmail.com

Rebecca Ann Solarz on behalf of Creditor Roundpoint Mortgage Servicing Corporation

Rebecca Ann Solarz on behalf of Creditor Roundpoint Mortgage Servicing Corporation rsolarz@kmllawgroup.com

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

William H. Oliver, Jr. on behalf of Joint Debtor Rosa Maria Alvarez bkwoliver@aol.com,

R59915@notify.bestcase.com

William H. Oliver, Jr. on behalf of Debtor John Michael Whalen bkwoliver@aol.com,

R59915@notify.bestcase.com

TOTAL: 7